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11

12 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

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14 IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC  
15 Litigation

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**DEFENDANT C. R. BARD, INC.’S AND**  
**BARD PERIPHERAL VASCULAR, INC.’S**  
**ANSWER AND GENERAL DENIAL IN**  
**RESPONSE TO PLAINTIFF’S FIRST**  
**AMENDED COMPLAINT IN CASE NO.**  
**CV-18-04388-PHX-DGC; JURY TRIAL**  
**DEMAND**

20 Defendant Bard Peripheral Vascular, Inc. (“BPV”) hereby files this Answer and  
21 General Denial in response to the First Amended Complaint served on Defendant in *Ann*  
22 *Pickraum v. Bard Peripheral Vascular, Inc.*, AZ Member Case No. CV-18-04388-PHX-DGC  
23 (“Answer and General Denial”). Defendant further reserves the right to file any motion to  
24 dismiss for failure to state a claim with respect to this case, as set forth in Amended Case  
25 Management Order No. 4.

26 With respect to the allegations plaintiff(s) raise in *Ann Pickraum v. Bard Peripheral*  
27 *Vascular, Inc.*, AZ Member Case No. CV-18-04388-PHX-DGC, Defendant denies, generally

1 and specifically, each and every allegation in plaintiff(s)' Complaint, the whole thereof, and  
2 each and every cause of action therein. Defendant further denies that the plaintiff(s) has  
3 sustained, or is entitled to recover, damages in any amount alleged or in any sum whatsoever.  
4 Defendant further denies that it is liable to the plaintiff in any amount, and further denies that  
5 the plaintiff has sustained injury, damage, or loss by reason of any act or omission by  
6 Defendant.

7 As for additional defenses, and without assuming any burden of pleading or proof that  
8 would otherwise rest on plaintiff(s), Defendant incorporates by reference the responses and  
9 Affirmative Defenses set forth in Defendant's Answer to Plaintiffs' Master Complaint filed in  
10 MDL 2641 on December 17, 2015 (Doc. 366). Defendant further reserves the right to raise  
11 such other affirmative defenses as may be available or apparent during discovery or as may  
12 be raised or asserted by other Defendant in this case. Defendant has not knowingly or  
13 intentionally waived any applicable affirmative defense. If it appears that any affirmative  
14 defense is or may be applicable after Defendant has had the opportunity to conduct  
15 reasonable discovery in this matter, Defendant will assert such affirmative defense in  
16 accordance with the Federal Rules of Civil Procedure.

17 **REQUEST FOR JURY TRIAL**

18 Defendant Bard Peripheral Vascular, Inc. demands a trial by jury on all issues  
19 appropriate for jury determination.

20 **WHEREFORE**, Defendant avers that the plaintiff(s) is/are not entitled to the relief  
21 demanded in the plaintiff(s)' Complaint, and this Defendant, having fully answered, prays  
22 that this action against it be dismissed and that it be awarded its costs in defending this action  
23 and that it be granted such other and further relief as the Court deems just and appropriate.

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This 2nd day of October, 2019.

s/Richard B. North, Jr.  
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## **Attorneys for Defendant Bard Peripheral Vascular, Inc.**